



General Assembly

January Session, 2011

Raised Bill No. 1210

LCO No. 4801

04801_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE USE OF DEADLY PHYSICAL FORCE TO
DEFEND THE RESIDENTS OF A HOME.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 53a-20 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 A person in possession or control of premises, or a person who is
4 licensed or privileged to be in or upon such premises, is justified in
5 using reasonable physical force upon another person when and to the
6 extent that [he] such person reasonably believes such to be necessary to
7 prevent or terminate the commission or attempted commission of a
8 criminal trespass by such other person in or upon such premises; but
9 [he] such person may use deadly physical force under such
10 circumstances only (1) in defense of a person as prescribed in section
11 53a-19, or (2) when [he] such person reasonably believes such to be
12 necessary to prevent an attempt by the trespasser to commit arson or
13 any crime of violence, or (3) to the extent that [he] such person
14 reasonably believes such to be necessary to prevent or terminate an
15 unlawful entry [by force] into [his] such person's dwelling, as defined
16 in section 53a-100, or place of work, and for the sole purpose of such

17 prevention or termination. There shall be a presumption that the belief
18 of a person under this section that the use of deadly physical force is
19 necessary to defend himself or herself or another person, or to prevent
20 a trespasser from committing arson or a crime of violence, or to
21 prevent or terminate an unlawful entry by force into such person's
22 dwelling, is a reasonable belief.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2011</i>	53a-20
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Statement of Purpose:

To create a presumption that it is reasonable to believe deadly physical force is necessary to defend oneself from a person who has unlawfully entered a dwelling.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]